

ESTTA Tracking number: **ESTTA590321**

Filing date: **03/03/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91214578
Party	Defendant LeMar Xavier Lewis
Correspondence Address	LEMAR XAVIER LEWIS 1655 CRESTHAVEN AVENUE ORLANDO, FL 32811 UNITED STATES lemarlewis@hotmail.com
Submission	Answer
Filer's Name	Allison R. Imber
Filer's e-mail	aimber@addmg.com
Signature	/Allison R. Imber/
Date	03/03/2014
Attachments	Answer and Affirmative Defenses.pdf(17818 bytes) Exhibit A.pdf(1119361 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

LEMANS CORPORATION,)	Opposition No. 91214578
)	TM App. Serial No. 85/956925
Opposer,)	
)	
v.)	
)	
LEMAR XAVIER LEWIS,)	
)	
Applicant.)	
)	
)	
)	

APPLICANT’S ANSWER AND AFFIRMATIVE DEFENSES
TO NOTICE OF OPPOSITION

Applicant Lemar Xavier Lewis (“Applicant”), through its undersigned counsel, hereby submits its Answer and Affirmative Defenses to the Notice of Opposition (“Opposition”) filed by Opposer LeMans Corporation (“Opposer”). Applicant is without knowledge or information sufficient to admit or deny where Opposer is located and/or doing business, and based upon such lack of knowledge or information, hereby denies same. Applicant admits that he is located and doing business at 1655 Cresthaven Drive, Orlando, Florida 32811 and that he is the owner of U.S. Application Serial No. 85/956925 (the “’925 Application”), but denies that Opposer would be damaged by the registration of the ’925 Application, and in support of registration, states as follows:

1. Applicant admits the allegations contained in Paragraph 1 of the Opposition.
2. Applicant admits the allegations contained in Paragraph 2 of the Opposition.

3. Applicant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 3 of the Opposition, and based upon such lack of knowledge or information, hereby denies same.

4. Applicant admits that Opposer is listed on the United States Patent and Trademark Office (“USPTO”) database as having filed the applications that matured into U.S. Trademark Registration Nos. 1,755,416; 2,842,916; 2,829,892; 2,829,888; and 3,191,730 (collectively, “Opposer’s Registrations”), and is also listed as the owner of Opposer’s Registrations. Applicant further admits that what purports to be copies of the registration certificates and USPTO status pages for Opposer’s Registrations are attached to the Opposition as Exhibit A, and admits that Opposer’s Registrations speak for themselves as to their contents. Applicant is without knowledge or information sufficient to admit or deny the remainder of the allegations contained in Paragraph 4 of the Opposition, and based upon such lack of knowledge or information, hereby denies same. Applicant denies any other allegation contained in Paragraph 4 of the Opposition not expressly admitted herein.

5. Applicant objects to the phrase “THOR Registrations” as not properly defined, as the phrase is not limited to Opposer’s Registrations set forth in Paragraph 4 of the Opposition but apparently includes other un-identified trademark registrations. Applicant admits that Opposer’s Registrations are listed as active on the USPTO database and that they speak for themselves as to their contents. Applicant is without knowledge or information sufficient to admit or deny the remainder of the allegations contained in Paragraph 4 of the Opposition, and based upon such lack of knowledge or information, hereby denies same.

6. Applicant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 6 of the Opposition, and based upon such lack of knowledge or information, hereby denies same.

7. Applicant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 7 of the Opposition, and based upon such lack of knowledge or information, hereby denies same.

8. Applicant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 8 of the Opposition, and based upon such lack of knowledge or information, hereby denies same.

9. Applicant is without knowledge or information sufficient to admit or deny the allegations contained in Paragraph 9 of the Opposition, and based upon such lack of knowledge or information, hereby denies same.

10. Applicant admits that it did not have Opposer's express consent or permission to file the '925 Application, but denies that such consent or permission was required or indicated.

11. Applicant denies that it had actual knowledge of Applicant's alleged trademark rights in the mark **THOR** prior to when it adopted and filed the '925 Application. Applicant further submits that constructive notice of a federal trademark registration pursuant to 15 USC § 1072 is a question of law which need not be admitted or denied.

12. Applicant denies the allegations contained in Paragraph 12 of the Opposition.

13. Applicant denies the allegations contained in Paragraph 13 of the Opposition.

14. Applicant denies the allegations contained in Paragraph 14 of the Opposition.

15. Applicant admits that if the '925 Application registers he would have a prima facie right to continue to use his mark, but denies that such use or registration would be a source of damage to Opposer.

16. Applicant denies each and every allegation not expressly admitted herein.

WHEREFORE, Applicant respectfully requests the Opposition be dismissed and the '925 Application approved for registration.

AFFIRMATIVE DEFENSES

1. The marks shown in Opposer's Registrations are directed to goods and/or services, channels of trade and consumers which are distinguishable from the Applicant's goods, channels of trade and consumers, and are therefore unlikely to be confused with Applicant's mark.

2. Confusion is further unlikely, and Opposer and/or Opposer's mark is not likely to be damaged or harmed by registration of Applicant's mark, because Applicant is the owner of U.S. Trademark Registration No. 3,206,498 for the mark **THORO Stylized** which is specified for use on "clothing namely t-shirts; tank tops, polo shirts, hats, undershirts, jerseys" which has been registered since February 6, 2007.

3. Opposer's claims are barred by the doctrine of waiver, laches, and/or estoppel because Opposer has previously taken no action against the mark shown in the '925 Application and has taken no action whatsoever against the mark shown in U.S. Trademark Registration No. 3,206,498, both of which attest to a first use in commerce date of September 5, 2001.

Dated: March 3rd, 2014

Respectfully Submitted,

/s/ Allison R. Imber
Allison R. Imber, Esq.
David L. Sigalow, Esq.
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 South Orange Avenue
Orlando, FL 32801
Tel: (407) 841-2330
Fax: (407) 841-2343
aimber@addmg.com
dsigalow@addmg.com

Attorneys for Applicant

Certificate of Service

The undersigned hereby certifies that on this 3rd day of March, 2014, a copy of the foregoing was served via first class mail, postage prepaid, on the following:

Tara M. Vold, Esq.
Vold & Williamson PLLC
8251 Greensboro Drive, Suite 340
McLean, VA 22102
trademark@vwiplaw.com

Attorneys for Opposer

/Michel Rodriguez/

EXHIBIT A

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,755,416

Registered Mar. 2, 1993

**TRADEMARK
PRINCIPAL REGISTER**

THOR

TORSTEN HALLMAN RACING CORPORATION (CALIFORNIA CORPORATION)
315 W. BRADLEY
EL CAJON, CA 92020

T-SHIRTS, SWEATSHIRTS, CAPS AND JACKETS, IN CLASS 25 (U.S. CL. 39).
FIRST USE 9-1-1988; IN COMMERCE 9-1-1988.

FOR: MOTORCYCLE RACING APPAREL;
NAMELY, RACING PANTS, JERSEYS, BOOTS,

SER. NO. 74-067,434, FILED 6-11-1990.

JILL C. ALT, EXAMINING ATTORNEY

STATUS

DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-03-03 15:43:02 EST

Mark: THOR

No Image exists
for this case.

US Serial Number: 74067434

Application Filing Date: Jun. 11, 19

US Registration Number: 1755416

Registration Date: Mar. 02, 19

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Feb. 19, 2013

Publication Date: Jan. 14, 1992

Mark Information

Mark Literal Elements: THOR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: motorcycle racing apparel; namely, racing pants, jerseys, boots, T-shirts, sweatshirts, caps and j

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 01, 1988

Use in Commerce: Sep. 01, 19

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: LEMANS CORPORATION

Owner Address: 3501 KENNEDY ROAD
JAMESVILLE, WISCONSIN 535475222
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tara M. Vold

Attorney Primary Email wotrademark@fulbright.com
Address:

Docket Number: LEMA.T01:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tara M. Vold
Vold & Williamson PLLC
8251 Greensboro Drive, Suite 340
McLean, VIRGINIA 22102
UNITED STATES

Phone: 571-395-4630

Correspondent e-mail: trademark@vwiplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 11, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 11, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 19, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 19, 2013	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132

Feb. 19, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70132
Feb. 11, 2013	TEAS SECTION 8 & 9 RECEIVED	
May 22, 2006	CASE FILE IN TICRS	
Mar. 07, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 24, 2002	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jul. 24, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 09, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 09, 2002	PAPER RECEIVED	
Jul. 28, 1998	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 11, 1998	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 02, 1993	REGISTERED-PRINCIPAL REGISTER	
Jan. 14, 1992	PUBLISHED FOR OPPOSITION	
Dec. 13, 1991	NOTICE OF PUBLICATION	
Oct. 02, 1991	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 26, 1991	EXAMINER'S AMENDMENT MAILED	
Jan. 10, 1991	FINAL REFUSAL MAILED	
Dec. 20, 1990	EXAMINER'S AMENDMENT MAILED	
Nov. 19, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 25, 1990	NON-FINAL ACTION MAILED	
Sep. 28, 1990	ASSIGNED TO EXAMINER	68113

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Mar. 02, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Feb. 19, 2014

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

Int. Cl.: 18

Prior U.S. Cls.: 1, 2, 3, 22 and 41

United States Patent and Trademark Office

Reg. No. 2,842,916

Registered May 18, 2004

**TRADEMARK
PRINCIPAL REGISTER**

THOR

LEMANS CORPORATION (WISCONSIN COR-
PORATION)
3501 KENNEDY ROAD
P.O. BOX 5222
JANESVILLE, WI 53547

FIRST USE 9-0-1988; IN COMMERCE 9-0-1988.

OWNER OF U.S. REG. NOS. 1,755,416, 2,380,354
AND OTHERS.

FOR: GEAR BAGS, NAMELY ATHLETIC BAGS,
TOOL BAGS SOLD EMPTY, ATHLETIC BAGS FOR
GENERAL USE, TRAVEL BAGS, BACKPACKS,
BRIEFCASES, AND WALLETS, IN CLASS 18 (U.S.
CLS. 1, 2, 3, 22 AND 41).

SER. NO. 78-172,323, FILED 10-8-2002.

STEVEN BERK, EXAMINING ATTORNEY

STATUS

DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-03-03 15:59:19 EST

Mark: THOR

No Image exists
for this case.

US Serial Number: 78172323

Application Filing Date: Oct. 08, 20

US Registration Number: 2842916

Registration Date: May 18, 20

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Sep. 06, 2013

Publication Date: Feb. 24, 2004

Mark Information

Mark Literal Elements: THOR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US [1755416](#), [2246355](#), [2247788](#), [2380354](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Gear bags, namely, athletic bags, tool bags sold empty, athletic bags for general use, travel bags

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, C

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1988

Use in Commerce: Sep. 1988

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes
Filed ITU: No	Currently ITU: No
Filed 44D: No	Currently 44D: No
Filed 44E: No	Currently 44E: No
Filed 66A: No	Currently 66A: No
Filed No Basis: No	Currently No Basis: No

Current Owner(s) Information

Owner Name: Lemans Corporation

Owner Address: 3501 Kennedy Road
Janesville, WISCONSIN 53547
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tara M. Vold

Attorney Primary Email: wotrademark@fulbright.com

Address:

Docket Number: LEMA.T01:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tara M. Vold
Vold & Williamson PLLC
8251 Greensboro Drive, Suite 340
McLean, VIRGINIA 22102
UNITED STATES

Phone: 571-395-4630

Correspondent e-mail: trademark@vwiplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 06, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Sep. 06, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131

Sep. 06, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	70131
Aug. 22, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	70131
Sep. 05, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Aug. 22, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 11, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 11, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 09, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Feb. 09, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Feb. 01, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 07, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 18, 2004	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 24, 2004	PUBLISHED FOR OPPOSITION	
Feb. 04, 2004	NOTICE OF PUBLICATION	
Jan. 15, 2004	PAPER RECEIVED	
Jan. 14, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 14, 2004	EXAMINERS AMENDMENT E-MAILED	
Jan. 06, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 30, 2003	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Nov. 24, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 21, 2003	EXAMINERS AMENDMENT E-MAILED	
Sep. 25, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 25, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 25, 2003	NON-FINAL ACTION E-MAILED	
Mar. 17, 2003	ASSIGNED TO EXAMINER	76834

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: May 18, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 06, 2014

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

Int. Cl.: 28

Prior U.S. Cls.: 22, 23, 38 and 50

United States Patent and Trademark Office

Reg. No. 2,829,892

Registered Apr. 6, 2004

**TRADEMARK
PRINCIPAL REGISTER**

THOR

LEMANS CORPORATION (WISCONSIN CORPORATION)
3501 KENNEDY ROAD
P.O. BOX 5222
JANESVILLE, WI 53547

FOR: ATHLETIC EQUIPMENT FOR USE IN
MOTOCROSS RACING NAMELY, CHEST
GUARDS, BACK GUARDS, ELBOW GUARDS,
FOREARM GUARDS, SHOULDER GUARDS, KID-
NEY GUARDS, KNEE GUARDS, SHIN GUARDS,

MOTOCROSS GLOVES, AND NECK GUARDS, IN
CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 9-0-1988; IN COMMERCE 9-0-1988.

OWNER OF U.S. REG. NOS. 1,755,416, 2,380,354
AND OTHERS.

SER. NO. 78-172,321, FILED 10-8-2002.

STEVEN BERK, EXAMINING ATTORNEY

STATUSDOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-03-03 15:44:17 EST

Mark: THOR

No Image exists for this case.

US Serial Number: 78172321

Application Filing Date: Oct. 08, 20

US Registration Number: 2829892

Registration Date: Apr. 06, 20

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 29, 2013

Publication Date: Jan. 13, 2004

Mark Information

Mark Literal Elements: THOR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US 1755416, 2246355, 2247788, 2380354 and others Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Athletic equipment for use in motocross racing namely, chest guards, back guards, elbow guards; kidney guards, knee guards, shin guards, motocross gloves [, and neck guards]

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, C

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1988

Use in Commerce: Sep. 1988

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes
Filed ITU: No	Currently ITU: No
Filed 44D: No	Currently 44D: No
Filed 44E: No	Currently 44E: No
Filed 66A: No	Currently 66A: No
Filed No Basis: No	Currently No Basis: No

Current Owner(s) Information

Owner Name: Lemans Corporation

Owner Address: 3501 Kennedy Road
Janesville, WISCONSIN 53547
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONS

Attorney/Correspondence Information**Attorney of Record**

Attorney Name: Tara M. Vold

Attorney Primary Email: wotrademark@fulbright.com

Address:

Docket Number: LEMA.T01:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tara M. Vold
Vold & Williamson PLLC
8251 Greensboro Drive, Suite 340
McLean, VIRGINIA 22102
UNITED STATES

Phone: 571-395-4630

Correspondent e-mail: trademark@vwiplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 14, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	

Aug. 29, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Aug. 29, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Aug. 15, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	66607
Aug. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Aug. 15, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 11, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 11, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 26, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Jan. 26, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Jan. 19, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 07, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 06, 2004	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 15, 2004	PAPER RECEIVED	
Jan. 13, 2004	PUBLISHED FOR OPPOSITION	
Dec. 24, 2003	NOTICE OF PUBLICATION	
Nov. 24, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 25, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 25, 2003	NON-FINAL ACTION E-MAILED	
Mar. 17, 2003	ASSIGNED TO EXAMINER	76834

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 06, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 29, 20

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 2,829,888

Registered Apr. 6, 2004

**TRADEMARK
PRINCIPAL REGISTER**

THOR

LEMANS CORPORATION (WISCONSIN CORPORATION)
3501 KENNEDY ROAD
P.O. BOX 5222
JANESVILLE, WI 53547

FOR: PROTECTIVE CLOTHING FOR MOTOR-CROSS RACING NAMELY CHEST PROTECTORS, BACK PROTECTORS, ELBOW PROTECTORS, FOREARM PROTECTORS, SHOULDER PROTECTORS, KIDNEY PROTECTORS, KNEE PROTECTORS, SHIN PROTECTORS, PROTECTIVE HAND GEAR, PROTECTIVE HELMETS, PROTECTIVE

BOOTS, NECK PROTECTORS AND SAFETY GOGGLES; HELMET BAGS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-1988; IN COMMERCE 9-0-1988.

OWNER OF U.S. REG. NOS. 1,755,416, 2,380,354 AND OTHERS.

SER. NO. 78-172,102, FILED 10-8-2002.

STEVEN BERK, EXAMINING ATTORNEY

STATUS

DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-03-03 15:44:40 EST

Mark: THOR

No Image exists
for this case.

US Serial Number: 78172102

Application Filing Date: Oct. 08, 20

US Registration Number: 2829888

Registration Date: Apr. 06, 20

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Aug. 29, 2013

Publication Date: Jan. 13, 2004

Mark Information

Mark Literal Elements: THOR

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US [1755416](#), [2246355](#), [2247788](#), [2380354](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Protective clothing for motorcross racing, namely, chest protectors, back protectors, elbow prote
protectors, kidney protectors, knee protectors, shin protectors, protective hand gear, protective h
protectors and] safety goggles; helmet bags

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, C

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1988

Use in Commerce: Sep. 1988

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes
Filed ITU: No	Currently ITU: No
Filed 44D: No	Currently 44D: No
Filed 44E: No	Currently 44E: No
Filed 66A: No	Currently 66A: No
Filed No Basis: No	Currently No Basis: No

Current Owner(s) Information

Owner Name: Lemans Corporation

Owner Address: 3501 Kennedy Road
Janesville, WISCONSIN 53547
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONS

Attorney/Correspondence Information**Attorney of Record**

Attorney Name: Tara M. Vold

Docket Number: LEMA.T01:

Attorney Primary Email Address: wotrademark@fulbright.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tara M. Vold
Vold & Williamson PLLC
8251 Greensboro Drive, Suite 340
McLean, VIRGINIA 22102
UNITED STATES

Phone: 571-395-4630

Correspondent e-mail: trademark@vwiplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jan. 14, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 29, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	

Aug. 29, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	66607
Aug. 29, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	66607
Aug. 15, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	66607
Aug. 29, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Aug. 15, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 11, 2013	ATTORNEY REVOKED AND/OR APPOINTED	
Jul. 11, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Jan. 26, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Jan. 26, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Jan. 19, 2010	TEAS SECTION 8 & 15 RECEIVED	
Mar. 07, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 06, 2004	REGISTERED-PRINCIPAL REGISTER	
Mar. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 15, 2004	PAPER RECEIVED	
Jan. 13, 2004	PUBLISHED FOR OPPOSITION	
Dec. 24, 2003	NOTICE OF PUBLICATION	
Nov. 24, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 21, 2003	EXAMINERS AMENDMENT E-MAILED	
Sep. 25, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 25, 2003	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 25, 2003	NON-FINAL ACTION E-MAILED	
Mar. 17, 2003	ASSIGNED TO EXAMINER	76834

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 06, 2014

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Aug. 29, 2014

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,191,730

Registered Jan. 2, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

THOR

LEMANS CORPORATION (WISCONSIN CORPORATION)
3501 KENNEDY ROAD P.O. BOX 5222
JANESVILLE, WI 53547

FOR: ON-LINE CATALOGUE SERVICES FOR DEALERS AND DISTRIBUTORS FEATURING MOTOCROSS RACING AND MOTORCYCLE RIDING GEAR, SPORTSWEAR, AND ACCESSORIES; ON-LINE MARKETING SERVICES FOR DEALERS AND DISTRIBUTORS FEATURING MOTOCROSS RACING AND MOTORCYCLE RIDING GEAR, SPORTSWEAR AND ACCESSORIES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-30-2002; IN COMMERCE 3-30-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,380,354, 2,829,892 AND OTHERS.

SER. NO. 78-670,435, FILED 7-14-2005.

JORDAN BAKER, EXAMINING ATTORNEY

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2014-03-03 15:44:58 EST

Mark: THOR

THOR

US Serial Number: 78670435

Application Filing Date: Jul. 14, 2006

US Registration Number: 3191730

Registration Date: Jan. 02, 2006

Register: Principal

Mark Type: Service Mark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Apr. 30, 2012

Publication Date: Oct. 17, 2006

Mark Information

Mark Literal Elements: THOR

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [2380354](#), [2829888](#), [2829892](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: On-line catalogue services for dealers and distributors featuring motocross racing and motorcycle accessories; on-line marketing services for dealers and distributors featuring motocross racing and accessories

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 30, 2002

Use in Commerce: Mar. 30, 2002

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes
Filed ITU:	No	Currently ITU:	No
Filed 44D:	No	Currently 44D:	No
Filed 44E:	No	Currently 44E:	No
Filed 66A:	No	Currently 66A:	No
Filed No Basis:	No	Currently No Basis:	No

Current Owner(s) Information

Owner Name: LeMans Corporation

Owner Address: 3501 Kennedy Road P.O. Box 5222
Janesville, WISCONSIN 53547
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Tara M. Vold

Attorney Primary Email wotrademark@fulbright.com

Address:

Docket Number: LEMA.T01:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Tara M. Vold
Vold & Williamson PLLC
8251 Greensboro Drive, Suite 340
McLean, VIRGINIA 22102
UNITED STATES

Phone: 571-395-4630

Correspondent e-mail: trademark@vwiplaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 11, 2013	ATTORNEY REVOKED AND/OR APPOINTED	

Jul. 11, 2013	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Apr. 30, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 30, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Apr. 30, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 13, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jan. 02, 2007	REGISTERED-PRINCIPAL REGISTER	
Oct. 17, 2006	PUBLISHED FOR OPPOSITION	
Sep. 27, 2006	NOTICE OF PUBLICATION	
Sep. 05, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	66230
Aug. 31, 2006	ASSIGNED TO LIE	66230
Aug. 25, 2006	ASSIGNED TO LIE	59272
Aug. 18, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 18, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 15, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 15, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 04, 2006	NON-FINAL ACTION E-MAILED	6325
May 04, 2006	NON-FINAL ACTION WRITTEN	81878
Apr. 14, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	73797
Apr. 03, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	73797
Apr. 03, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 13, 2006	ATTORNEY REVOKED AND/OR APPOINTED	
Mar. 13, 2006	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 02, 2006	PRIORITY ACTION E-MAILED	6326
Feb. 02, 2006	PRIORITY ACTION WRITTEN	81878
Feb. 02, 2006	ASSIGNED TO EXAMINER	81878
Aug. 08, 2005	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	76984

Aug. 08, 2005

TEAS VOLUNTARY AMENDMENT
RECEIVED

Jul. 20, 2005

NEW APPLICATION ENTERED IN TRAM

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: Apr. 30, 20

Assignment Abstract Of Title Information - Click to Load

Proceedings - Click to Load